



Atty. Dkt. No 071949-1314 02800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth F. Buechler  
Title: DIAGNOSTIC DEVICES AND  
APPARATUS FOR THE  
CONTROLLED MOVEMENT OF  
REAGENTS WITHOUT  
MEMBRANES

Appl. No.: 09/805,653

Filing Date: 03/13/2001

Examiner: Lyle Alexander

Art Unit: 1641

<b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.  <u>Line Gauthier</u> (Printed Name)  <u>Line Gauthier</u> (Signature)  <u>January 7, 2003</u> (Date of Deposit)
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TRANSMITTAL

Commissioner for Patents  
Washington, D.C. 20231  
BOX AF

Sir:

Transmitted herewith is an Appeal Brief and Amendment, in triplicate, in the above-identified application. Applicant hereby petitions the Commissioner under 37 C.F.R. §1.136(a) for a one-month extension of time for response in the above-identified application for the period required to make the attached response timely. The Commissioner is hereby authorized to charge the \$160 appeal brief filing fee, the \$55 extension fee and any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date: January 7, 2003

Respectfully submitted,

FOLEY & LARDNER  
Customer Number: 23620



23620

PATENT TRADEMARK OFFICE

Telephone: (858) 847-6721  
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By

Michael A. Whittaker

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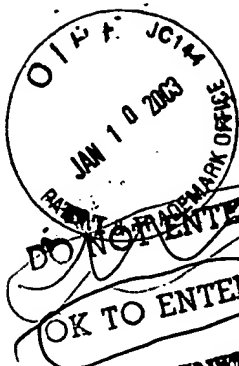
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Docket No. 071949-1314

Patent

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kenneth F. Buechler

Serial No.: 09/805,653

Filed: March 13, 2001

For: DIAGNOSTIC DEVICES AND  
APPARATUS FOR THE  
CONTROLLED MOVEMENT OF  
REAGENTS WITHOUT  
MEMBRANES

Examiner: Alexander, Lyle

Group Art Unit: 1743

<p><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.</p> <p><u>LINE GAUTHIER</u> (Printed Name)</p> <p><u>Line Gauthier</u> (Signature)</p> <p><u>January 7, 2003</u> (Date of Deposit)</p>
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**AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box After Final

Sir:

Accompanied by the Appeal Brief submitted herewith, please consider the following amendments and remarks.

**In The Claims**

Please replace claims 89 and 95 with the following amended claims. A marked-up version of the claims, indicating the amendments, is provided herewith as Appendix A.

89. (Amended) A method for determining the presence or amount of a plurality of target ligands in a sample, the method comprising:

contacting the diagnostic element of claim 74 with